

1. Introduction

Policy Statement

FES employs a wide and diverse population of staff and this very diversity is one of the company's greatest strengths. In order to consolidate and build upon this diversity, it is essential that equality of opportunity and the absence of unfair discrimination be at the core of all the company's activities.

The Directors recognizes the link between equality and quality and will not unfairly discriminate in the recruitment or general treatment of staff on the basis of race, colour, ethnicity, ethnic origin, national origin, gender, marital status, disability, religion or belief, sexual orientation, age or any other factor.

The company is committed to promoting and developing equality of opportunity in all its functions and will seek to do this by:

- ❑ Communicating its commitment to equality and diversity to all members of its community
- ❑ Communicating where responsibility lies for equality issues
- ❑ Providing training for decision-makers, and briefing for staff
- ❑ Developing mechanisms for implementation, monitoring, evaluation and Review
- ❑ Taking positive action to redress any gender, racial or other imbalances in the workforce
- ❑ Treating acts of discrimination as a disciplinary offence
- ❑ Consulting with trades unions, interested groups and individuals, internal and external

2. Responsibility

The Directors have responsibility for ensuring that the company operates within the legal framework for equality and for implementing the policy throughout the company. However, each employee of the company community as a whole is responsible for preventing unfair discrimination when it is within their control to prevent such an occurrence.

The Management Representative is responsible for keeping the Managing Director informed of all developments made in this area and for making appropriate staff aware of any specific responsibilities that relate to their work within the company.



3. The Legal Framework

Unlawful discrimination can take the following forms:

Direct Discrimination - This occurs where a person is treated less favourably than Others because of their colour, race, ethnicity, ethnic origin, nationality, national Origin, gender, disability, religion or belief, and sexual orientation.

Indirect Discrimination - This occurs by applying a provision, criterion or practice which disadvantages people on the grounds of race, gender, religion or belief, age or sexual orientation and which cannot be justified as a proportionate way of achieving a legitimate aim.

Victimization - This occurs where an individual has exercised their rights under Equality legislation (or has indicated that they intend to do so) and is treated less Favourably as a direct result. It applies equally to a person who is supporting (or Indicates that they intend to support) another person who is exercising their rights under the legislation.

Positive Action - Positive Action is a term within the Sex Discrimination Act 1975, the Race Relations Act 1976, the Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Religion or Belief) Regulations 2003.

Positive Action is allowed when an employer can demonstrate under representation within the organization as a whole or at certain levels or in certain types of jobs. In these circumstances the employer can offer encouragement to the under-represented group(s) to apply for job or training opportunities or can offer training to those groups to help them compete for opportunities.

Current relevant legislation comprises of the following:

- i. Equal Pay Act 1970;
- ii. Health & Safety at Work Act 1974;
- iii. Sex Discrimination Act (SDA)1975;
- iv. The Race Relations Act (RRA) 1976 as amended by the Race Relations (Amendment) Act 2000;
- v. Disability Discrimination Act (DDA) 1995;
- vi. Prevention from Harassment Act 1997;
- vii. Human Rights Act (HRA) 1998;
- viii. Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000;
- ix. Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations 2000;



- x. Employment Equality (Sexual Orientation) Regulations 2003;
- xi. Employment Equality (Religion or Belief) Regulations 2003;
- xii. Gender Recognition Act 2004.

3.1 Disability

The DDA aims to end discrimination suffered by people with disabilities and gives rights in the areas of employment and access to goods, facilities and services. The DDA defines disability as someone with "a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities."

The company will ensure that it does not treat disabled employees less favourably. Reasonable adjustments will be made for applicants for posts and for staff who become disabled during the course of their employment. Where possible, an employee can seek to be redeployed.

3.2 Race

The RRA makes it unlawful to discriminate against someone on the basis of their race, colour, ethnicity, ethnic origin or national origin. The Race Relations (Amendment) Act (RRAA) Act 2000, places a general duty on employers to promote race equality and a specific duty to assess the impact of all their policies on staff of different racial groups.

Under this legislation, there is a positive duty to monitor by racial group the recruitment and career progress of staff. The Company's Race Equality Policy sets out the arrangements that have been put in place to enable FES to meet the general and specific duties under the Act.

3.3 Gender

The Sex Discrimination Act (SDA) 1975 makes it unlawful for employers and other Organizations to treat a person less favourably on the basis of their gender. As an employer FES will not discriminate in recruitment, promotion, access to training opportunities and in the provision of benefits, goods or facilities. The Company has a duty and will not discriminate against employees on the basis of their gender in selection for employment, promotion or in the way it provides access to benefits, facilities and services.

3.4 Harassment

The Company recognizes that its staff, and visitors have the right to a working and social environment free from intimidation caused by harassment.

Harassment occurs when someone's actions or words are unwelcome and violate another person's dignity or create an environment that is intimidating, hostile, degrading, humiliating or offensive. Harassment is unacceptable and, where proven will be treated as a disciplinary



offence. The Company's Sexual and Racial Harassment policy sets out the procedure for dealing with complaints.

3.5 Health & Safety

The Company recognizes and accepts responsibility as an employer for providing, as far as is reasonably practicable, a safe and healthy environment for its employees and visitors. The first point of contact for health and safety issues is the Safety Representative. Copies of Health & Safety policies and procedures are available from the office.

3.6 Sexual Orientation & Religion or Belief

The Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Religion or Belief) Regulations 2003, making it unlawful to discriminate on the basis of sexual orientation and religion or belief, came into force in December 2003.

As an employer FES will not discriminate in recruitment, promotion, access to training opportunities and in the provision of benefits, goods or facilities.

The Company will not discriminate against any person on the basis of their sexual orientation or religion or belief in selection of places or in the way it provides access to benefits, facilities and services.

3.7 Age

The Government will introduce legislation in 2006 to prohibit discrimination at work and in vocational training on the grounds of age. Consultation is currently underway seeking views on how the proposed legislation will be implemented. The Company is committed to treating staff fairly regardless of age and will not condone unfavourable treatment on this basis. Compliance to British Standards on minimum and maximum ages permitted for Security Officers will have to be maintained.

4. Staffing & Employment Matters

4.1 Job Description and Person Specification

The duties of a job, and the requirements of a person to perform it, will be identified to ensure that the job is fulfilling the needs intended and that the educational qualifications, work experience and personal attributes required are essential to the performance of the job. These should be regularly reviewed to ensure they remain valid.

4.2 Publicizing Vacancies



In selecting the most effective methods for publicizing vacancies, managers should carefully consider any under-represented groups and how best to target them, whilst making it clear that the final selection will be solely on the basis of suitability for the post.

In all job advertisements the Company will include a statement that it aims to be an Equal Opportunities Employer.

4.3 Application Forms

All application forms of the Company will be continuously reviewed to ensure that they contain only that information, which is relevant to the vacancy, including the applicant's right to work in the UK.

Alternative formats will be sourced for those requiring support, e.g. large print versions for the visually impaired. On receipt of application forms, monitoring information will be removed before short-listing and kept confidential.

4.4 Short-listing

Applicants will be short-listed against the criteria given in the person specification or course requirements, and by no other criteria.

4.5 Selection

All employees involved in recruitment and selection should be fully aware of their responsibilities under the Company policy and legislation with regard to equal opportunities. Training will incorporate equal opportunity issues.

More than one person should be involved in selection, to minimise the possibility of subconscious prejudice or stereotyping.

4.6 Contracts of Employment

Contracts will include reference to the Equality & Diversity and Sexual and Racial Harassment Policies and to where further information on these topics can be found.

The responsibility of individuals to comply with the Equality & Diversity and Harassment Policies should be stressed in the documents, together with the fact that any breaches of these policies may be dealt with under the Company's Disciplinary Procedures.

4.7 Probation, Promotion and Regarding



The procedures for each of these will be regularly reviewed with regard to equal opportunities. Promotion, regarding and reward procedures, and the constitution of those committees responsible for them, will be examined to ensure that:

- ❑ Access to them and information about career development are equally available to all employees
- ❑ The criteria and procedures are clearly defined and known to all employees within the relevant category
- ❑ The procedures are operated fairly.

5. Flexible working

The Company will develop and disseminate policies on work-life balance issues to staff. Subject to operational requirements, the Company will consider whether the introduction of part-time, seasonal working, job-sharing and flexitime might improve efficiency, enlarge the potential labour market or improve job opportunities for those with, for example, domestic responsibilities.

6. Grievance and Disciplinary

All acts of discrimination will be treated as a disciplinary offence. The Company will move towards a common procedure for all staff for disciplinary and grievance situations, to prevent any discrimination against particular groups.

Employees will have access to the grievance and disciplinary procedure within Employee Handbooks. Alternative formats will be available for the visually impaired.

7. Training and Staff Development

Training will be provided to ensure that the Company complies with the relevant legislation. The aim, however, is to go beyond compliance and empower all employees to act positively and equitably by creating and maintaining an environment where equality of opportunity is promoted.

All employees will have access to and information on training and development opportunities, including part time staff and those for example on maternity leave who have expressed an interest in receiving this information.

Use of regular development appraisals and career development interviews will assist in the process of identifying and rectifying areas of imbalance in the provision of training and promotional opportunities.



Equality and Diversity Policy

Those with managerial or supervisory duties have responsibility for implementing the principles enshrined in this policy. Training will be provided for managers and supervisors to ensure that they are aware of their responsibilities under the law and to the Company.

8. Communication

The Equality and Diversity policy is freely available to employees. All stakeholders and members of the public will receive a copy for their review upon written request.

Alternative formats of the policy can be requested from the company.

Training will be used to communicate the policy to staff and to help them to translate the law into working practice.